

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NORTH DAKOTA

In re

Andy Baron Elliott  
Sandra Leah Elliott

Bankr. No. 21-30420

Debtors

Chapter 7

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**MOTION TO EXTEND THE TIME TO FILE A MOTION TO DISMISS AND FILE A  
COMPLAINT OBJECTING TO DISCHARGE**

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COMES NOW the Acting United States Trustee (UST) through her undersigned attorney and moves the Bankruptcy Court to extend the time to file a motion to dismiss under 11 U.S.C. § 707(b)(1), based on the totality of circumstances under subsection (b)(3) and to file a complaint objecting to the discharge under § 727. In support of her motion, she states the following:

1. The motion to extend the deadline to file an objection to discharge is filed pursuant to FED. R. BANKR. P. 4004(b)(2) . The motion to extend the time to file a motion to dismiss is filed pursuant to FED. R. BANKR. P. 1017(e). The motion to extend the deadline to file an objection to discharge is filed pursuant to FED. R. BANKR. P. 4004(b)(2) . The Court has jurisdiction over this motion pursuant to 28 U.S.C. §§1334 and 157(a), and FED.R.BANKR.P. 5005. This proceeding is a core proceeding.

2. The Debtors filed a chapter 13 case on September 28, 2021 and converted to chapter 7 on January 9, 2024.

3. FED. R. BANKR. P. 1017(e) provides that a motion to dismiss under Section 707(b) may be filed no later than 60 days after the first date set for the meeting of creditors, unless a request is filed before the expiration period to extend the period for cause. The deadline to file a motion is October 25, 2024.

4. FED. R. BANKR. P. 4004(b)(1) provides that a motion to extend the period of time to file a complaint objecting to the Chapter 7 debtor's discharge may be granted "for cause" if the

motion to extend the period is filed before the deadline for filing an objection to the discharge.

The deadline to file a complaint objecting to discharge is October 25, 2024

5. The Chapter 7 Trustee referred this case to the UST on March 25, 2024 and discussed the case on March 27, 2024 with UST personal. The UST sent an initial inquiry letter to the Debtors on March 28, 2024. Despite numerous follow up inquiries on April 12<sup>th</sup>, April 29<sup>th</sup>, May 6<sup>th</sup>, May 13<sup>th</sup>, May 23<sup>rd</sup>, June 10<sup>th</sup> and June 26th, the Debtors have not yet provided some of the documentation contained in the initial inquiry or responded to subsequent requests that arose from the partial responses that have been provided.

6. The Court granted the United States Trustee's motion to compel the production of documents on August 2, 2024. See Att. Ex. 1. The Debtors failed to comply with the Order.

7. The UST has delayed seeking sanctions, including filing a complaint under 11 U.S.C. § 727(a)(6), because the Chapter 7 Trustee commenced his own complaint on August 13, 2024 (Adv. 24-7012). The UST sent follow up requests for the outstanding information on August 27, 2024, September 13, 2024, September 27, 2024, and October 17, 2024. See Att. Ex. 2 (email October 17, 2024). Debtor's counsel has routinely represented that the Debtors are working on assembling the documents. The Debtors should not benefit from failing to comply with the Court's Order.

WHEREFORE, the United States Trustee requests that the Court extend the period to file a complaint objecting to the discharge and the period to file a motion to dismiss be continued to January 31, 2025.

Dated: October 24, 2024

MARY R. JENSEN  
ACTING UNITED STATES TRUSTEE  
Region 12

/s/ Sarah J. Wencil  
Trial Attorney  
U.S. Courthouse, Suite 1015  
300 South Fourth Street  
Minneapolis, MN 55415  
Tele: (612) 334-1350  
Fax: (612) 334-1350  
E-mail: [Sarah.J.Wencil@usdoj.gov](mailto:Sarah.J.Wencil@usdoj.gov)

# UST EXHIBIT 1

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NORTH DAKOTA

In re:

Andy Baron Elliott,  
Sandra Leah Elliott,

Bky. Case No.: 21-30420  
Chapter 7

**ORDER FOR TURNOVER**

Debtors.

/

On July 17, 2024, the United States Trustee filed a Motion to Compel Turnover of Documents. Doc 142. The United States Trustee served notice of the motion. The Court received no objections. The Court finds cause for granting the motion. Therefore, **IT IS ORDERED** that the Motion to Compel Turnover of Documents is **GRANTED**. The Debtors shall immediately, turnover to United States Trustee the following assets:

A. Copies of the following statements:

- a) Accounts 4646, 4145, and 1144 from October 2023 through December 2023;
- b) Accounts 0100 and 3326 from September 2021 through the present. Page 2 of the September 2023 statement for accounts 0100 and 3326;
- c) Account 3588 from September 2021 through May 2023 and February 2024 through the present;
- d) Page 2 of the July 2021 statement for account 4958;
- e) PayPal, Venmo, and Cash App statements for September 2021 through the present.

B. Copies of supporting documentation showing the required monthly payments and payoff amounts for the following debts listed on Schedule D:

- a) Dodge Ram Loan.

C. The identity of the account that transferred \$5,600 into account 3588 on 6/6/23 from checking per Clint Bamert.

- D. The identity of the account that transferred \$5,600 into account 3588 on 7/31/23 from checking per Jimmie Butler.
- E. The identity of the account that transferred \$5,900 into account 3588 on 8/28/2023 from “checking per Aaron Yoder”.
- F. An accounting of the contents of any storage units the Debtors have had since September 2021.
- G. An accounting of the source of all of the deposits listed on the attachment titled, 3588 Deposits, including supporting documentation.
- H. Documentation supporting the cash withdrawals made out of account 3588:
  - f) 10/6/2023 \$100;
  - g) 11/2/2023 \$500;
  - h) 11/2/2023 \$1,000; and
  - i) 11/24/2023 \$5,000.

**Failure to turn over these documents within 14 days may result in sanctions.**

Dated this 2nd day of August, 2024.

/s/ Shon Hastings  
Shon Hastings, Judge  
United States Bankruptcy Court

# UST EXHIBIT 2

**From:** [Sibenaller, Bethany \(USTP\)](#)  
**To:** [Chad Anderson](#)  
**Cc:** [Wencil, Sarah J. \(USTP\)](#)  
**Subject:** RE: [EXTERNAL] Elliott Revised Follow Up Request  
**Date:** Thursday, October 17, 2024 12:43:11 PM  
**Attachments:** [3588 Deposits.pdf](#)  
[image001.png](#)

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Dear Mr. Anderson,

I have reviewed the debtors' recent responses and have compiled the below list of still outstanding items listed on the order for turnover. Please provide the same as soon as possible. I know you previously said the debtor is working on some of these items but just wanted to reiterate the current list.

1. Provide copies of the following bank statements:
  - a. Accounts 0100 and 3326 from October 2021 through the present. The September 2023 statement for accounts 0100 and 3326 is missing page 2. Please provide a complete copy of that statement.
  - b. Account 3588 from September 2021 through May 2023 and February 2024 through the present
  - c. The July 2021 statement for account 4958 is missing page 2. Please provide a complete copy of that statement.
  - d. PayPal, Venmo, and Cash App statements for September 2021 through the present (*Please note that a transaction involving a PayPal account was found in account 3326 on 9/27/2021 and a transaction involving a Venmo account was found in account 3326 on 9/16/2021*)
2. Copies of supporting documentation showing the required monthly payments and payoff amounts for the following debts listed on Schedule D:
  - a. Dodge Ram Loan
3. Provide an accounting of the source of all of the deposits listed on the attachment titled, 3588 Deposits, including supporting documentation. (*Please be sure to include the supporting documentation*)
4. What is the disposition of the following cash withdrawals made out of account 3588? Include supporting documentation.
  - a. 10/6/2023 \$100
  - b. 11/2/2023 \$500
  - c. 11/2/2023 \$1,000

d. 11/24/2023 \$5,000

Thank you,

Bethany



**Bethany D. Sibenaller**  
Office of the U.S. Trustee  
Department of Justice  
300 South 4th Street, Room 1015  
Minneapolis, MN 55415  
Office: (612) 334-1365  
Mobile: (202) 567-1581  
Email: [Bethany.Sibenaller@usdoj.gov](mailto:Bethany.Sibenaller@usdoj.gov)  
Pronouns: she/her ([What's this?](#))

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---

**From:** Chad Anderson <chad@chadandersonlaw.com>  
**Sent:** Thursday, October 3, 2024 6:39 PM  
**To:** Sibenaller, Bethany (USTP) <Bethany.Sibenaller@usdoj.gov>  
**Subject:** Re: [EXTERNAL] Elliott Revised Follow Up Request

Good Afternoon Ms. Sibenaller,

Mr. Elliot is working on providing the bank statements referenced in 1(a)-(d) but I have not received any of the bank statements requested yet.

The Dodge Ram Loan statements have been requested by Mr. Elliot and I have sent emails and letters to the lender but have not received any correspondence from the lender.

Regarding the storage units and contents, Mr. Elliot has not had a constant storage unit since September 2021 and does not have any additional property held in a storage unit.

The Elliots converted from Chapter 13 to Chapter 7 after Sandra Elliots mother became ill and Sandra started caring for her. Due to the amount of care Sandra's mother needed she was unable to continue her employment, which caused the debtors to be unable to keep up with their chapter 13 plan payments.

Thanks,

Chad Anderson  
Attorney | Chad Anderson Law Firm  
phone: 701-214-5277  
site: [chadandersonlaw.com](http://chadandersonlaw.com)  
email: [chad@chadandersonlaw.com](mailto:chad@chadandersonlaw.com)



[Create your own signature](#)

On Sep 27, 2024, at 9:58 AM, Sibenaller, Bethany (USTP)

<[Bethany.Sibenaller@usdoj.gov](mailto:Bethany.Sibenaller@usdoj.gov)> wrote:

Dear Mr. Anderson,

What is the status of providing the below requested documentation?

Thank you,

Bethany

<image001.png>

**Bethany D. Sibenaller**  
Office of the U.S. Trustee  
Department of Justice  
300 South 4th Street, Room 1015  
Minneapolis, MN 55415  
Office: (612) 334-1365  
Mobile: (202) 567-1581  
Email: [Bethany.Sibenaller@usdoj.gov](mailto:Bethany.Sibenaller@usdoj.gov)  
Pronouns: she/her ([What's this?](#))

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---

**From:** Sibenaller, Bethany (USTP)  
**Sent:** Friday, September 13, 2024 10:19 AM  
**To:** Chad Anderson <[chad@chadandersonlaw.com](mailto:chad@chadandersonlaw.com)>  
**Cc:** Wencil, Sarah J. (USTP) <[Sarah.J.Wencil@usdoj.gov](mailto:Sarah.J.Wencil@usdoj.gov)>  
**Subject:** RE: [EXTERNAL] Elliott Revised Follow Up Request

Dear Mr. Anderson,

What is the status of providing the below requested documentation?

Thank you,

Bethany

<image001.png>

**Bethany D. Sibenaller**  
Office of the U.S. Trustee  
Department of Justice  
300 South 4th Street, Room 1015  
Minneapolis, MN 55415  
Office: (612) 334-1365  
Mobile: (202) 567-1581  
Email: [Bethany.Sibenaller@usdoj.gov](mailto:Bethany.Sibenaller@usdoj.gov)  
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---

**From:** Sibenaller, Bethany (USTP)  
**Sent:** Tuesday, August 27, 2024 10:12 AM  
**To:** Chad Anderson <[chad@chadandersonlaw.com](mailto:chad@chadandersonlaw.com)>  
**Cc:** Wencil, Sarah J. (USTP) <[Sarah.J.Wencil@usdoj.gov](mailto:Sarah.J.Wencil@usdoj.gov)>  
**Subject:** RE: [EXTERNAL] Elliott Revised Follow Up Request

Dear Mr. Anderson,

I have reviewed the debtors' documentation and have compiled the below list of still outstanding items listed on the order for turnover. I again included the deposits attachment because some of those are still outstanding as you mentioned in your email. Please provide the same as soon as possible.

1. Provide copies of the following bank statements:
  - a. Accounts 0100 and 3326 from October 2021 through the present.  
The September 2023 statement for accounts 0100 and 3326 is missing page 2. Please provide a complete copy of that statement.
  - b. Account 3588 from September 2021 through May 2023 and February 2024 through the present
  - c. The July 2021 statement for account 4958 is missing page 2. Please provide a complete copy of that statement.
  - d. PayPal, Venmo, and Cash App statements for September 2021 through the present (*Please note that a transaction involving a PayPal account was found in account 3326 on 9/27/2021 and a transaction involving a Venmo account was found in account 3326 on 9/16/2021*)
2. Copies of supporting documentation showing the required monthly payments and payoff amounts for the following debts listed on Schedule D:
  - a. Dodge Ram Loan
3. There are numerous debit transactions made to Storage 85 in August of 2023 out of account 3588. Provide an accounting of the contents of any storage units the debtor has had since September 2021.
4. Provide an accounting of the source of all of the deposits listed on the attachment titled, 3588 Deposits, including supporting documentation. (*Please be sure to include the supporting documentation*)
5. What is the disposition of the following cash withdrawals made out of account 3588? Include supporting documentation.
  - a. 10/6/2023 \$100
  - b. 11/2/2023 \$500
  - c. 11/2/2023 \$1,000
  - d. 11/24/2023 \$5,000

6. An explanation of any exigent circumstances that resulted in the debtors' conversion to chapter 7 and/or any other information that is relevant to the debtor's financial state of affairs.

Thank you,

Bethany

<image001.png>

**Bethany D. Sibenaller**

Office of the U.S. Trustee  
Department of Justice  
300 South 4th Street, Room 1015  
Minneapolis, MN 55415  
Office: (612) 334-1365  
Mobile: (202) 567-1581  
Email: [Bethany.Sibenaller@usdoj.gov](mailto:Bethany.Sibenaller@usdoj.gov)  
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---

**From:** Chad Anderson <[chad@chadandersonlaw.com](mailto:chad@chadandersonlaw.com)>  
**Sent:** Thursday, August 15, 2024 4:45 PM  
**To:** Sibenaller, Bethany (USTP) <[Bethany.Sibenaller@usdoj.gov](mailto:Bethany.Sibenaller@usdoj.gov)>  
**Subject:** Re: [EXTERNAL] Elliott Revised Follow Up Request

Dear Ms. Sibenaller,

I have been working to get the requested documents from Mr. Elliot, but I have not received everything yet. Please see the information below that I have received from Mr. Elliot. The highlighted sections are requests that my client is still working to provide.

- A. Copies of the following bank statements:
  - a) Accounts 4646, 4145, and 1144 from October 2023 through December 2023  
**Capital One Accounts 4646, 4145, 1144 - October 2023 through December 2023**

<image002.jpg>

b) Accounts 0100 and 3326 from September 2021 through the present. Page 2 of the September 2023 statement for accounts 0100 and 3326.

**Dakota West Accounts 0100 and 3326 from 09/01/2021 – Present and Page 2 of the 09/01/2023 statement for 0100 and 3326**

c) Account 3588 from September 2021 through May 2023 and February 2024 through the present

**Account 3588 from 09/01/2021 – 05/01/2023 and 02/01/2024 – Present**

d) Page 2 of the July 2021 statement for account 4958.

**Blue Ink Energies – Closed Account Statement 07-07-2021 Page 2**

e) PayPal, Venmo, and Cash App statements for September 2021 through the present

**No Paypal Account, Venmo 09/01/2021 – Present, Mr. Elliot may have had a Cash App account, and he is checking to see if he ever had a Cash App account**

B. Copies of supporting documentation showing the required monthly payments and payoff amounts for the following debts listed on Schedule D:

a) Dodge Ram Loan

**Mr. Elliot has requested a statement from the lender, and I have requested a statement from the lender by phone and email, but neither I nor Mr. Elliot have received anything from the lender yet.**

C. \$5,600 was transferred into account 3588 on 6/6/2023 from “checking per Clint Bamert”. Please answer the following questions regarding this transaction:

a) Who is Clint Bamert's and what is the debtor's relationship to him:

**Customer, no other affiliation.**

b) Which account transferred funds to account 3588?

**Customer's Account**

D. \$6,000 was transferred into account 3588 on 7/31/2023 from “checking per Jimmie Butler”. Please answer the following questions regarding this transaction:

a) Who is Jimmie Butler, and what is the debtor's relationship to him?

**Customer, no other affiliation.**

b) What account transferred these funds to account 3588?

**Customers Account**

E. \$5,900 was transferred into account 3588 on 8/28/2023 from “checking per Aaron Yoder”. Please answer the following questions regarding this transaction:

a) Who is Aaron Yoder and what is the debtor's relationship to him?

**Customer, no other affiliation**

b) What account transferred these funds to account 3588?

**Customers Account**

F. There are numerous debit transactions made to Storage 85 in August of 2023 out of account 3588.

- a) Does the debtor have or has he had a storage unit? **Yes**
- b) If so, how long has he had that storage unit? **8 Months**
- c) Provide an accounting of the contents of any storage units the debtor has had since September 2021. **Did not previously rent a storage unit before the current one.**

G. Provide an accounting of the source of all of the deposits listed on the attachment titled, 3588 Deposits, including supporting documentation.

<b>3588 Deposits</b>		
<b>Date</b>	<b>Amount</b>	<b>Customer</b>
6/14/23	\$3,900.00	
6/28/23	\$2,500.00	
7/7/23	\$8,110.00	Lund Oil
7/18/23	\$2,438.00	
7/20/23	\$3,000.00	Labor cutting blocks 4 days - Blue Kenworth T600
7/27/23	\$2,300.00	
7/31/23	\$465.00	Lund Oil
8/22/23	\$300.00	
8/24/23	\$1,029.00	
8/25/23	\$7,000.00	Lund Oil
9/19/23	\$4,250.00	Zuese
9/20/23	\$7,800.00	Zuese
9/26/23	\$5,500.00	Zuese
10/10/23	\$3,850.00	Lund Oil
10/12/23	\$16,000.00	New Worx
10/18/23	\$4,105.00	Zuese
10/30/23	\$6,800.00	Alfred
11/2/23	\$3,850.00	Zuese
11/14/23	\$2,115.00	Yoder Trucking
11/17/23	\$3,250.00	Yoder Trucking
11/20/23	\$2,500.00	Yoder Trucking
11/20/23	\$5,400.00	
11/27/23	\$2,000.00	
12/4/23	\$3,980.00	Yoder Trucking
12/15/23	\$6,350.00	Jose Trucks /era
12/19/23	\$6,100.00	M @ J
1/8/24	\$48,546.00	High Plains

1/12/24	\$7,250.00	High Plains
1/29/24	\$47,166.00	High Plains
1/30/24	\$4,895.00	Eddie

H. What is the disposition of the following cash withdrawals made out of account 3588? Include supporting documentation.

- a) 10/6/2023 \$100
- b) 11/2/2023 \$500
- c) 11/2/2023 \$1,000
- d) 11/24/2023 \$5,000

Thank you,

**Chad Anderson · Attorney**

<Signature Image>

**Chad Anderson Law Firm**

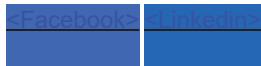
**Address:** 407 East Avenue C., Bismarck, ND 58501

**Phone:** [701-214-5277](tel:701-214-5277)

**Fax:** 701-347-7553

**Website:** [chadandersonlaw.com](http://chadandersonlaw.com)

**Email:** [chad@chadandersonlaw.com](mailto:chad@chadandersonlaw.com)



*Note: This e-mail contains information that may be proprietary, confidential, or privileged. If you are not the intended recipient, please delete this e-mail and contact me.*

On Jul 3, 2024, at 7:15 AM, Sibenaller, Bethany (USTP)

<[Bethany.Sibenaller@usdoj.gov](mailto:Bethany.Sibenaller@usdoj.gov)> wrote:

Received. Thank you.

<image001.png>

**Bethany D. Sibenaller**

Office of the U.S. Trustee

Department of Justice

300 South 4th Street, Room 1015

Minneapolis, MN 55415

Office: (612) 334-1365

Mobile: (202) 567-1581

Email: [Bethany.Sibenaller@usdoj.gov](mailto:Bethany.Sibenaller@usdoj.gov)

Pronouns: she/her ([What's this?](#))

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---

**From:** Chad Anderson <[chad@chadandersonlaw.com](mailto:chad@chadandersonlaw.com)>  
**Sent:** Tuesday, July 2, 2024 5:30 PM  
**To:** Sibenaller, Bethany (USTP) <[Bethany.Sibenaller@usdoj.gov](mailto:Bethany.Sibenaller@usdoj.gov)>  
**Cc:** Wencil, Sarah J. (USTP) <[Sarah.J.Wencil@usdoj.gov](mailto:Sarah.J.Wencil@usdoj.gov)>; Gene Doeling <[gene@kaler-doeling.com](mailto:gene@kaler-doeling.com)>  
**Subject:** [EXTERNAL] Re: Elliott Revised Follow Up Request

Dear Ms. Sibenaller,

Please see the responses below and the attached documents to your requests. I have requested the remaining information from Mr. Elliot and will send it as soon as possible.

**1. Please see attached bank statements**

<image002.jpg>

<image002.png>

<image003.png>

**2. Mr. Elliot has requested a copy of the loan documents from his lender but has not received them.**

**3. The proceeds of the second mortgage were applied to the arrearage owed on the primary mortgage. Please see the attached Freedom Mortgage Statement and Subordinate Mortgage**

4. The jewelry's decrease in value was due to a change in the debtor's estimated current value from the initial filing date to the conversion date.
5. Provide the dates of operation for the following entities and an explanation of the nature of business:

- a. Blue Ink Diesel - (never used)
- b. Blue Ink Energies INC - (I was working under this business until we filed the original chapter 13 to begin with when I started all this)
- c. Blue Tech Diesel Technologies, Inc. (never used)
- d. Gray Ghost Outdoor Productions Limited (never used)
- e. Affliction Drone Recovery Systems LLC (never used)
- d. Blue Tech Diesel LLC (currently using)
- e. Blue Tech Diesel Inc. (never used)
- f. Whiteline, Inc. (never used)

6. \$5,600 was transferred into account 3588 on 6/6/2023 from “checking per Clint Bamert”. Please answer the following questions regarding this transaction:

- a. Who is Clint Bamert and what is the debtor’s relationship to him?
- b. What account transferred these funds to account 3588?

**I will send it as soon as available.**

7. \$6,000 was transferred into account 3588 on 7/31/2023 from “checking per Jimmie Butler”. Please answer the following questions regarding this transaction:

- a. Who is Jimmie Butler and what is the debtor’s relationship to him?
- b. What account transferred these funds to account 3588?

**I will send it as soon as available.**

8. \$5,900 was transferred into account 3588 on 8/28/2023 from “checking per Aaron Yoder”. Please answer the following questions regarding this transaction:

- a. Who is Aaron Yoder and what is the debtor’s relationship to him?
- b. What account transferred these funds to account 3588?

**I will send it as soon as available.**

9. There are numerous debit transactions made to Storage 85 in August of 2023 out of account 3588. Does the debtor have or has he had a storage unit? If so, how long has he had that storage unit? Provide an accounting of the contents of any storage units the debtor has had since September 2021.

**I will send it as soon as available.**

10. Provide an accounting of the source of all of the deposits listed on the attachment titled, 3588 Deposits, including supporting documentation.

**I will send it as soon as available.**

11. What is the disposition of the following cash withdrawals made out of account 3588? Include supporting documentation.

- a. 10/6/2023 \$100
- b. 11/2/2023 \$500
- c. 11/2/2023 \$1,000
- d. 11/24/2023 \$5,000

**I will send it as soon as available.**

**Chad Anderson • Attorney**

<Signature Image>

**Chad Anderson Law Firm**

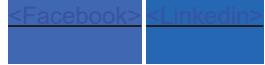
**Address:** 407 East Avenue C., Bismarck, ND 58501

**Phone:** [701-214-5277](#)

**Fax:** [701-347-7553](#)

**Website:** [chadandersonlaw.com](#)

**Email:** [chad@chadandersonlaw.com](mailto:chad@chadandersonlaw.com)



*Note: This e-mail contains information that may be proprietary, confidential, or privileged. If you are not the intended recipient, please delete this e-mail and contact me.*

On Jun 26, 2024, at 2:42 PM, Sibenaller, Bethany (USTP) <[Bethany.Sibenaller@usdoj.gov](mailto:Bethany.Sibenaller@usdoj.gov)> wrote:

Dear Mr. Anderson,

I have reviewed the debtors' documentation and have compiled the below list of newly requested and still outstanding items. Please provide the same **by 7/10/2024.**

1. Provide copies of the following bank statements:
  - a. Accounts 4646, 4145, and 1144 from September 2021 through June 2023 and October 2023 through December 2023
  - b. Accounts 0100 and 3326 from September 2021 through the present. The September 2023 statement for accounts 0100 and 3326 is missing page 2. Please provide a complete copy of that statement.
  - c. Account 3588 from September 2021 through May 2023 and February 2024 through the present
  - d. The July 2021 statement for account 4958 is missing page 2. Please provide a complete copy of that statement.
  - e. PayPal, Venmo, and Cash App statements for September 2021 through the present

Copies of supporting documentation showing the

2.

required monthly payments and payoff amounts for the following debts listed on Schedule D:

a. Dodge Ram Loan

3. Regarding the second mortgage, please provide an accounting of the use of the proceeds including supporting documentation.

4. The jewelry disclosed on the debtors' original schedule A/B is valued at \$2,000. The jewelry disclosed on the debtors' amended schedule A/B is valued at \$1,000. Please explain the discrepancy.

5. Provide the dates of operation for the following entities and an explanation of the nature of business:

- a. Blue Ink Diesel
- b. Blue Ink Energies INC
- c. Blue Tech Diesel Technologies, Inc.
- d. Gray Ghost Outdoor Productions Limited
- e. Affliction Drone Recovery Systems LLC
- f. Blue Tech Diesel LLC
- g. Blue Tech Diesel Inc.
- h. Whiteline, Inc.

6. \$5,600 was transferred into account 3588 on 6/6/2023 from "checking per Clint Bamert". Please answer the following questions regarding this transaction:

- a. Who is Clint Bamert and what is the debtor's relationship to him?
- b. What account transferred these funds to account 3588?

7. \$6,000 was transferred into account 3588 on

7/31/2023 from "checking per Jimmie Butler". Please answer the following questions regarding this transaction:

- a. Who is Jimmie Butler and what is the debtor's relationship to him?
  - b. What account transferred these funds to account 3588?
8. \$5,900 was transferred into account 3588 on 8/28/2023 from "checking per Aaron Yoder". Please answer the following questions regarding this transaction:
- a. Who is Aaron Yoder and what is the debtor's relationship to him?
  - b. What account transferred these funds to account 3588?
9. There are numerous debit transactions made to Storage 85 in August of 2023 out of account 3588. Does the debtor have or has he had a storage unit? If so, how long has he had that storage unit? Provide an accounting of the contents of any storage units the debtor has had since September 2021.
10. Provide an accounting of the source of all of the deposits listed on the attachment titled, 3588 Deposits, including supporting documentation.
11. What is the disposition of the following cash withdrawals made out of account 3588? Include supporting documentation.
- a. 10/6/2023 \$100
  - b. 11/2/2023 \$500
  - c. 11/2/2023 \$1,000
  - d. 11/24/2023 \$5,000

12. An explanation of any exigent circumstances that resulted in the debtors' conversion to chapter 7 and/or any other information that is relevant to the debtor's financial state of affairs.

Thank you,

Bethany

<image001.png>

**Bethany D. Sibenaller**  
Office of the U.S. Trustee  
Department of Justice  
300 South 4th Street, Room 1015  
Minneapolis, MN 55415  
Office: (612) 334-1365  
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Pronouns: she/her ([What's this?](#))

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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NORTH DAKOTA

In re

Andy Baron Elliott  
Sandra Leah Elliott

Bankr. No. 21-30420

Debtors

Chapter 7

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**NOTICE OF MOTION TO EXTEND THE TIME**

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The **United States Trustee's Office** has filed a Motion to Extend the Time in the above-captioned Chapter 7 case. **Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the United States Trustee's motion, or if you want the Court to consider your views on the motion, then within 14 days, you must file with the **Bankruptcy Clerk**, whose address is **Quentin N. Burdick United States Courthouse, 655 1st Avenue N., Suite 210, Fargo, North Dakota 58102-4932**, a response explaining your position.

If you file and serve a response by the date stated above, the Court will schedule a hearing and give you written notice of the date, time, and location of that hearing. Otherwise, the Court may decide that you do not oppose the relief requested by the United States Trustee's Office and may enter an order granting the relief.

Dated: October 24, 2024

MARY R. JENSEN  
ACTING UNITED STATES TRUSTEE  
Region 12  
/s/ Sarah J. Wencil  
Trial Attorney  
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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NORTH DAKOTA

In re

**Andy Baron Elliott**  
**Sandra Leah Elliott**

**Bankr. No. 21-30420**

**Debtors**

**Chapter 7**

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**CERTIFICATE OF SERVICE**

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The undersigned states under penalty of perjury that she electronically filed the motion to extend the discharge; thereby generating service by CM/ECF upon debtor's counsel and the chapter 7 trustee. A copy of the objection was sent by U.S. Mail on the debtors and counsel for the debtors at the following addresses:

**Andy Baron and Sandra Leah Elliott**  
1408 West Pheasant Ridge Dr  
Watford City, ND 58854

**Chad Everett Anderson**  
Chad Anderson Law Firm  
407 East Avenue C.  
Bismarck, ND 58503

Dated: October 24, 2024

/s/ Audrey Williams  
Audrey Williams  
Office of the US Trustee